

toward improving the lives of Arab-Americans across the nation, and building bridges of understanding between Americans of Arab descent and those of us with other ethnic roots. A Life Member of the NAACP, Michael serves today as an Executive Board Member of the American Task Force for Lebanon. He also has served as a Director of the Greater Round Table of the National Conference of Christians, Muslims and Jews. If one wonders whether Michael's participation and advocacy have had an impact, I need only point to the growing influence today of Arab-Americans in nearly every sphere of our lives, in government, education, business and trade, literature and the arts, and politics.

Mr. Speaker, as Michael's many friends prepare to gather to celebrate this many accomplishments on behalf of his community and country, I wanted to share with my colleagues just how much Michael's service and friendship have meant to me. As a past Chairman of the 16th District Democratic Party for four terms, Michael has been active in Michigan politics for more than 40 years. Throughout this period, Michael has been a true and loyal friend and someone I could trust to give me good advice about everything from transportation policy to the current politics of Lebanon and other parts of the Middle East. His knowledge and insight have been invaluable to me in representing Michigan's 16th Congressional District in the U.S. House of Representatives. I wish him and his fiancée, Cindy Hanes, every happiness as Michael prepares to turn yet another new page on a successful life.

#### INTRODUCTION OF THE PREVENTION OF SEXUAL MISCONDUCT BY CORRECTIONAL STAFF ACT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1999

Ms. NORTON. Mr. Speaker, today I introduce the Prevention of Sexual Misconduct by Correctional Staff Act, a bill to protect female inmates from sexual misconduct while incarcerated in our nation's prisons. This bill follows a GAO investigation that I requested of the three largest prison systems—the federal Bureau of Prisons, the Texas Department of Criminal Justice, and the California Department of Corrections and, in addition, the District of Columbia, (1995–1998). I asked GAO to investigate these jurisdictions because they house one-third of the nation's 80,000 female inmates, and, therefore, are likely to reflect the range of problems women in prison face.

The treatment of women incarcerated cries out for remedies. Let me summarize some of the most important findings in the GAO report:

1. The full range of civil and criminal sexual misconduct and abuse was found: rape, improper touching, inappropriate visual surveillance, verbal harassment, and consensual sex, which is a crime when correctional personnel are involved.

2. None of the four jurisdictions had readily available or comprehensive information that would allow them to effectively prevent and address sexual misconduct. Since jurisdictions do not collect and examine even basic information, such as the number, nature, and out-

comes of sexual misconduct allegations, it is no wonder that they do little to prevent them. When attempts to track the abuse have been made, they often have been useless or dangerously incompetent. For example, the federal Bureau of Prison's (BOP) tracking system does not break down allegations of non-criminal sexual misconduct, such as indecent language from other allegations BOP classifies as "unprofessional conduct." The District of Columbia had no information on allegations.

3. Only 41 states specifically punish criminal sexual misconduct by corrections personnel, and eight states treat sexual abuse by corrections officials as only a misdemeanor. Although the four jurisdictions studied have criminal laws against sexual misconduct by corrections personnel, only BOP reported prosecutions with convictions (14 prosecutions: rape, consensual sex with an inmate, and sex for money).

4. The GAO reports that, "Many correctional experts believe that the full extent of staff-on-inmate misconduct is likely underreported nationally due to the fear of retaliation and the vulnerability felt by female inmates." Nevertheless, 506 reported allegations of sexual misconduct were made in the past three years in the four jurisdictions. Only 18% were sustained. Most of the sustained allegations resulted in resignations or terminations. What ordinary citizens go to jail for, corrections personnel often can walk away from if they are willing to leave the job.

5. Civil liability can be expected to mount if states do not substantially and immediately improve their efforts to illuminate sexual abuse. A \$500,000 settlement paid by the BOP to three women in a suit alleging rape, being sold by guards for sex, and beatings are the tip of the iceberg.

6. States have primary responsibility for the conduct of their own correctional staff, but the federal government is deeply implicated or complicit in two ways: (a) sexual abuse by guards, who have complete authority over inmates and are charged with their incarceration, often rises to the level of constitutional violations; and (b) the federal government gives financial assistance to state prison systems and therefore must be seen to condone constitutional violations in the face of this report unless appropriate requirements are attached to federal assistance.

The Prevention of Sexual Misconduct by Correctional Staff Act I introduce today responds to the specific issues uncovered by the GAO report. It provides mandatory sexual harassment and abuse awareness training for prison officials and staff, establishes a system for women inmates to report abuses by correctional staff, creates a reporting system for submission to the states' attorneys general so that they can detect patterns of abuse, establishes a mechanism by which allegations of sexual misconduct can be investigated, and requires that each state have criminal penalties that explicitly prohibit custodial sexual misconduct by correctional staff. This bill provides that each state submit reports on the compliance of the state to the U.S. Attorney General.

Women inmates should not be made to feel that sexual abuse and harassment is part of their sentence. I ask for your support to put an end to this violence against women.

#### GIRLS TOWN RECREATIONAL CENTER

#### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1999

Mr. SKELTON. Mr. Speaker, let me take this opportunity to recognize Mr. and Mrs. Joe Scallorns, of California, MO. Over the years, Fran and Joe have worked for the betterment of their community and of the State of Missouri. They have contributed countless hours to improve the lives of many Missourians and they have dedicated themselves to public service.

Recently, Fran and Joe donated the money for the construction of a new recreational center at Missouri Girls Town. It was named in honor of the Scallorns and their selfless contribution to the institution and the young ladies who reside therein. On October 2, 1999, the Scallorns Recreational Center was dedicated and Joe addressed those in attendance. His speech is set forth as follows:

We are here today for a dedication of this wonderful structure. Fran and I are a little embarrassed about the fact that it bears our name. Most people don't see their name cast in bronze or in stained glass. In most cases when a building is named it is for someone deceased. On those occasions, friends gather and say some nice things about the "dearly departed". On those other occasions in which the persons are still living, they are invited to make a few remarks. I can't tell you how happy I am to be here before you today.

We are here as a result of our lead gift for this recreation center. That was possible because we are living the American dream. From a very modest beginning of our marriage, we have worked hard, been lucky, and have enjoyed the encouragement and support of family and friends, many of whom are here today. We were fortunate enough to own our own business, sell it, and retire early. We do live in the greatest nation on Earth that is truly good and provides many opportunities.

Fran and I are so pleased to be a part of this great effort. We have been inspired and encouraged by the leadership of the Marshes, Ann K., the McClains, Isabelle Bram, and others in sharing their time and resources with the needs of the girls here. We are pleased and proud to be able to do this and hope that this might influence and encourage others to support Girlstown as much as they can.

We are particularly pleased that our gift was for the recreation center. Sports play such an important part in all our lives, but especially in the development of young people. Not only is this the largest structure on the campus, beautifully designed, and well built although it is all those things; but it is perhaps an apt symbol of what we try to teach all our children—those at home and those here.

Sports teach us that we get along better in life if we learn to play by the rules. Wherever we are in our society, we learn that there are certain expectations of behavior. There are rules in the workplace, rules of the road and rules of personal demeanor and behavior. The sooner we learn to take responsibility for our actions by respecting and abiding by those rules, the better we are able to get along.

Sports, whether recreational or competitive, teach us to do our best. Coaches in any sport certainly know the fundamentals of the game they are playing, but what makes a great coach is having the ability to motivate others to do their very best. If these

young ladies can learn to motivate themselves to improve at whatever they are doing—to strive to do their best at every endeavour, that may be the best tool for the building of character. Those that spend their lives looking for happiness seldom find it. If they spend their lives pursuing excellence, they can lead productive and rewarding lives.

The other great lesson that sports will teach us is teamwork. Once we learn to depend on others and let them depend on us, then achievements multiply. There are very few efforts that don't improve geometrically as we approach them as a team. The results of teamwork are always greater than the sum of the individual efforts of those involved. It is through working and giving together, to the best of our abilities, that we are able to build this campus, continue to improve it, and continue to add to it.

A group of girls once gathered for their annual hike in the woods. Taking off at sunrise, the group commenced a fifteen mile trek through some of the most scenic grounds in the country. About midmorning, the girls came across an abandoned section of railroad track. Each in turn, tried to walk the narrow rails, but after only a few unsteady steps each lost her balance and fell off.

Two of the girls, after watching one after the other fall off the iron rail, offered a bet to the rest of the group. The two bet that they could both walk the entire length of the railroad track without falling off even once.

The others laughed and said "no way". Challenged to make good on their boast, the two girls jumped up on the opposite rails, simply reached out and held hands to balance each other and steadily walked the entire section of the track with no difficulty.

How easy it was, simply by working together as a team. When people help each other, freely and voluntarily, there is a spirit of teamwork that can conquer a multitude of problems. When we don't cooperate, the whole system can fall apart.

So remember: play by the rules, do your best, reach out—and never quit holding hands.

#### COMMON SENSE PROTECTIONS FOR ENDANGERED SPECIES ACT OF 2000

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1999*

Mr. YOUNG of Alaska. Mr. Speaker, today we introduce the Common Sense Protection for Endangered Species Act of 2000. My efforts to improve and update the Endangered Species Act date back over my entire 26 years of service in the House of Representatives. The Endangered Species Act or the ESA, was originally adopted in 1973, with the goal of protecting those species of fish, wildlife and plants that were in danger of extinction. However, over the last 26 years the ESA has gotten off course. It is now in danger of foundering in a sea of bureaucratic abuse and misuse.

The Committee on Resources has held over 25 hearings on the impacts of the Endangered Species Act since I became the Chairman. We have heard hundreds of witnesses testify regarding the misuse of this law for purposes that have nothing to do with protecting wildlife. We know that there are 1,197 U.S. species listed as endangered or threatened, yet no

species has recovered due to actions taken under the Endangered Species Act. The ESA is a failure, when it is judged solely on the basis of the number of species recovered and it is a failure when you realize that it punishes those private property owners who do the most to protect wildlife on their property. We need to turn this failure into a success story and we can do that through the application of some basic common sense principles.

First, we need to return more authority and responsibility for wildlife protection back to the states. The states have primary responsibility for wildlife and plants within their borders. The states have done the best job of managing their own wildlife. State programs to restore depleted species of game through good scientific management have been a resounding success. Species such as wild turkey, deer, elk, mountain lions, bear, and countless others managed by the states are becoming so plentiful that their numbers are now considered too plentiful in some areas.

Almost every state has its own endangered and threatened species program. Most of the states are doing a better job than the federal government at protecting endangered species and they are doing it in a common sense fashion, unlike some of our federal agencies. However, we seem to be imposing the greatest number of federal resources in those states that have had the best endangered species programs. The State of California, under the leadership of former governor Pete Wilson, developed an endangered species program that is as stringent as the federal program and is the best funded state ESA program in the country, yet we have spent more federal ESA funds in California than in any other state. We need to insure that our scarce federal resources are used in those areas that need federal help—not in those states that are doing a good job. Let's stop duplicating the state's good work and let them do what they do best—manage their own wildlife.

Second, it is absolutely imperative that when a new species is added to the list of endangered and threatened species, that the science used to justify that listing is accurate and adequate. We need to improve the quality of the scientific data used to list species. We can only do that by requiring the agency to use good science, not just whatever science happens to be available at the time a petition is received to list a species. When a species is listed that is not really endangered or threatened with extinction, there are severe economic consequences for local communities and for affected private property owners. This should be avoided through the use of well-founded science.

Thirdly, we need to be fair to landowners who are affected by the listing of endangered species. Most endangered species are found on private lands. Private landowners need to be given incentives and rewards for protecting endangered and threatened species. Unfortunately, the ESA has been used against landowners to deprive them of the right to use their own property and to demand both land and money from affected landowners. The federal agencies that administer the ESA have been given extraordinary powers which they are using to force landowners to set aside "in perpetuity", huge amounts of privately owned lands that can only be used for one purpose—the protection of the public's wildlife and plant species. This type of treatment only discour-

ages other landowners from providing habitat for wildlife.

We need to guarantee the public's right to know what the federal government is going to require for the protection of endangered species. The public and affected landowners should be included at every step in the process and should have a right to be heard and to have their questions answered about what kinds of new regulations the government may be proposing.

Fourth, we need to insure that when federal agencies' activities affect endangered species that the species are protected, but also those agencies need to fulfill their primary missions. We have seen examples of our military unable to prepare for the national defense because of the presence of endangered species on military lands. Flood control projects are delayed over many years resulting in ever increasing damage from floods. Much needed roads, bridges, and other transportation projects are stopped or delayed. Entire forests are closed to harvesting while timber workers are left unemployed. The list goes on and on.

We must insure that the government keeps its promises to private property owners. The Fish and Wildlife Service has issued over 250 permits to various landowners for the use of their property. We need to insure that the federal government does not ignore those permits and demand even greater amounts of land and money in the future during the term of those agreements.

Fifth, we must recover the populations of species and then be sure they are taken off the lists of endangered species. Under the current ESA, the federal agencies list species and then never remove them from the lists even when their populations increase dramatically. This is unacceptable. The federal government must work with the local community and affected landowners to develop workable recovery plans for species. The federal government must then keep its word to delist species when the communities make concessions to recover species.

Our bill, the Common Sense Protections for Endangered Species Act of 2000 would bring back basic common sense solutions to help achieve all these goals. It would:

1. Improve the listing process by involving and relying upon the expertise of States.
2. Improve petitions and listing investigations and insure greater public participation in the listing process.
3. It would require the use of peer reviewed science to support the listing of species.
4. It would reduce conflicts and economic dislocation caused by federal agency shut downs and provide deadlines for agency decision making. It would insure that agencies fulfill their missions and provide a faster and surer method of resolving conflicts between agencies. It would insure that public safety will be protected.
5. It would allow affected citizens a full opportunity to participate in consultations; discuss the impacts of a biological opinion and any proposed alternatives, receive information on the biological opinion; and receive a copy of the draft biological opinion prior to its issuance.
6. It would prevent abusive and excessive demands on private landowners for their land and money as a condition of getting an ESA permit from the federal government and require reasonable deadlines for making permit